

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LG. PHILIPS LCD CO. LTD, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 05-292-JJF
 :
 TATUNG COMPANY, TATUNG COMPANY :
 OF AMERICA, INC., CHUNGWHA :
 PICTURE TUBES LTD., and :
 VIEWSONIC CORP., :
 :
 Defendants. :

O R D E R

WHEREAS, there are a number of outstanding issues to be resolved before the commencement of the trial in this matter on Monday, July 17, 2006;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion To Compel Deposition Testimony And For Sanctions (D.I. 198) is DENIED;

2. Plaintiff's Second Motion To Compel Deposition Testimony And For Sanctions (D.I. 199) is DENIED;

3. Plaintiff's Motion To Compel Discovery Regarding CPT's Compliance With U.S. Regulatory And Safety Requirements (D.I. 244) is DENIED;

4. Plaintiff's Motion For Order Barring Disclosure Of LPL's Confidential Information To Dr. Nisha Mody And CapAnalysis (D.I. 274) is GRANTED;

5. Defendants' Motion In Limine (No. 8) To Preclude

LPL From Arguing That It Is Entitled To Damages For Sales Outside Of The United States (D.I. 285) is GRANTED;

6. Defendants' Motion In Limine (No. 9) To Exclude Any Evidence Offered To Prove An Invention Date Earlier Than The Filing Date Of U.S. Patent No. 5,019,002 (D.I. 289) is DENIED;

7. Defendants' Motion In Limine (No. 11) To Exclude All Reference To CPT's Compliance With U.S. Regulatory And Safety Requirements (D.I. 292) is DENIED;

8. Defendants' Motion To Exclude Expert Opinion Offered By LPL's Report Of Cobb & Associates, LTD., The Non-Obviousness Opinion Offered In The Expert Report Of Dr. Elliott Schlam Regarding Validity Of U.S. Patent No. 5,019,002 And Any Proffered Subsequent Testimony (D.I. 306) is DENIED;

9. Plaintiff's Motion In Limine To Preclude Defendants From Offering Or Referring At Trial To Documents Produced By Defendants After The February 21, 2006 Discovery Deadline (D.I. 317) is GRANTED with the exception that documents produced in routine fashion in the California case after February 21, 2006, are not precluded (see D.I. 333, 103:2-10);

10. Plaintiff's Motion In Limine To Preclude Evidence Or References At Trial Regarding Patents Not In Suit And Collateral Litigation (D.I. 318) is GRANTED;

11. Defendant's Motion For Partial Summary Judgment On Damages Under 35 U.S.C. § 287 (D.I. 219) is DENIED;

12. Defendant's Motion For Summary Judgment Of Noninfringement Under 35 U.S.C. Section 271(a) (D.I. 320) is **GRANTED**;

13. With respect to Plaintiff's letter of July, 11, 2006 (D.I. 328), Defendants' witnesses James Morlan, Chuang-Yi Chiu, and Hsi-Wen Tsai are prohibited from testifying at trial;

14. With respect to Plaintiff's letter of July 12, 2006 (D.I. 346), the parties' experts may update the damages analysis disclosed in their expert reports to the extent that they incorporate newly available data. Their updates may not include previously undisclosed methods of calculation or opinions.

July 13, 2006
DATE


UNITED STATES DISTRICT JUDGE